

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. Appln. No. 10/624,608
Atty. Docket No. Q76067

REMARKS

Claims 1, 3-23 and 31-33 are all the claims pending in the application. Claim 33 has been newly added herewith.

Examiner Interview

Applicant's representative conducted a telephone interview with the Examiner on March 22, 2007 and thanks the Examiner for the courtesies extended at that time. During the interview, the claimed duct and pump were discussed. Additionally, a possible amendment to claim 1 to recite a "single" flexible substrate was discussed. The Examiner indicated that the proposed amendment to claim 1 would appear to overcome the rejection of record. In this Amendment, Applicant has amended claim 1 as discussed during the interview. Further details of the interview are discussed below.

Claim Rejections - 35 U.S.C. § 112

Claim 21 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant has amended claim 21 in a manner believed to overcome the rejection.

Claim Rejections - 35 U.S.C. § 103

Claims 1, 3-9, 11, 12, 14, 22, 23, 31 and 32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Pan (U.S. Patent Application Publication No. 2002/0182475) in view of Maynard (U.S. Patent No. 6,541,149). Applicant respectfully traverses.

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Claim 1 recites a fuel stack with a plurality of cells all associated with a single flexible substrate. In contrast, the cited references (Pan and Maynard) require two flexible supports. There is no suggestion in either of these references to use a single flexible substrate, as claimed. Instead, both Pan and Maynard teach forming fuel cells by assembling two supports face-to-face. Accordingly, even the combined teachings and suggestions of Pan and Maynard fails to teach a fuel stack with a plurality of cells all associated with a single flexible substrate, as set forth in claim 1. Additionally, during the interview, the Examiner acknowledged that Pan and Maynard lacked such a feature. Therefore, claim 1 is now believed to be allowable.

Applicant also submits that claim 1 is allowable for additional reasons. For example, the combination of Pan and Maynard lacks a duct which supplies the fuel cells with fuel and connects the fuel cells to each other. During the interview, the Examiner acknowledged that Pan spaces 120 do not supply the cells with fuel. Instead, they are merely used to keep the PEM in Pan moist (*see* Pan paragraph [0032]). Openings 112 of Pan also cannot be considered the claimed duct at least because the openings 112 do not connect the cells with each other. Therefore, claim 1 is additionally allowable at least because Pan also lacks a duct as claimed.

Claims 3-9, 11, 12, 14, 22, 23, 31 and 32 depend from claim 1 and are allowable at least by virtue of their dependency.

New Claims

Claims 33 has been newly added herewith. Claims 33 depends from claim 1 and is allowable at least by virtue of their dependency. Claim 33 is fully supported at least by Fig. 2.

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Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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